

EXHIBIT 35

~~Confidential~~

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1 UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF NEW YORK
3

4 -----X

5 CATHERINE MCKOY, MILLARD WILLIAMS,

6 MARKUS FRAZIER, and LYNN CHADWICK

7 individually and on behalf of all

8 others similarly situated, Index No.

9 Plaintiffs, 1:18-cv-09936-

10 v. LGS

11 THE TRUMP CORPORATION, DONALD J. TRUMP,

12 in his personal capacity, DONALD TRUMP

13 JR., ERIC TRUMP, and IVANKA TRUMP,

14 Defendants.
15 -----X

16
17 ***CONFIDENTIAL***

18 DEPOSITION OF ANNE ARCHER BUTCHER

19 AUGUST 23, 2022
20

21 REPORTED BY: PATRICIA Y. SCHULER, CSR NO. 11949
22
23
24

25 JOB NO. 215263

1 Q. I just want to sort of compare a couple
2 pieces of the 2006 and 2008 scripts. And if you
3 can see you can find Exhibit 18 in there.

4 A. Tell me what you're trying to compare,
5 and I'll do my best.

6 Q. Sure. It's a -- it says Rhona Graff at
7 the top. It should have a sticker for Exhibit 18.
8 It's -- the subject line is "Bullet points for ACN
9 celebrity endorsement video shoot."

10 A. Exhibit what?

11 Q. Exhibit 18.

12 A. I have it.

13 Q. I guess first let me ask the general
14 question, at these two video shoots, do you recall
15 whether a lot of the same language or sound bites
16 were used in each of the two shoots?

17 MS. DAVIDIAN: Object to form.

18 THE WITNESS: I have no idea. I mean, I
19 would have to look. I'm not responsible for
20 creating these questions, so...

21 BY MR. QUINN:

22 Q. I understand, but you were at both
23 shoots, right?

24 A. Yes. But do I remember them? No.

25 Q. So let's just look at the documents,

1 then. So if you look at Exhibit 18 and turn to the
2 second page of the talking points?

3 A. Um-hmm.

4 Q. That's the page with the Bates No. 73155
5 at the bottom, right?

6 A. Yes.

7 Q. So, like, up at the top, there's a
8 bullet, "In all my years in the business world,
9 I've come to know many things." And the first
10 subbullet there says, "I had experienced the
11 excitement that exists when there's an opportunity
12 to jump in ahead of the curve," right?

13 Do you see that?

14 A. Yes.

15 Q. And I'll just do two examples. A couple
16 bullets below that you see a bullet that says, "You
17 have a great opportunity before you with ACN
18 without any of the risks most entrepreneurs have to
19 take," right?

20 A. Yes.

21 Q. And then if you look back at Exhibit 28,
22 the 2008 script, specifically the page -- the
23 second page right at the front of the attachment,
24 3064.

25 A. Um-hmm.

1 Q. You can see the second bullet from the
2 bottom says, "You have a great opportunity before
3 you at ACN without any of the risks most
4 entrepreneurs have to take," right?

5 A. Yes.

6 Q. And that's the same language from the
7 2006 script?

8 A. Yes.

9 Q. And then the next paragraph says, "I've
10 experienced the opportunity that exists when you're
11 able to jump ahead of the curve, and ACN gives you
12 that opportunity," right?

13 A. Yes.

14 Q. So does that refresh your recollection
15 that across the two shoots there were some sound
16 bites and there was language that was used in both
17 of them. This is sort of a standard --

18 A. There obviously was.

19 Q. I think you can put those to the side.

20 I guess before we move on from the 2008
21 shoot, was that also considered a success from the
22 ACN perspective, did ACN get what it was looking
23 for at the 2008 video shoot?

24 MS. DAVIDIAN: Object to form.

25 THE WITNESS: I mean, I don't know.